

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PATRICE AMERSON,

Plaintiff,

v.

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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Case No. 12-14395

Paul D. Borman  
United States District Judge

David R. Grand  
United States Magistrate Judge

ORDER (1) ADOPTING THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION (Dkt. No. 20);  
(2) DENYING DEFENDANT COMMISSIONER'S MOTION FOR SUMMARY JUDGMENT  
AT THIS POINT IN THE PROCEEDINGS (Dkt. No. 19);  
(3) GRANTING IN PART PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT TO THE  
EXTENT IT SEEKS A REMAND PURSUANT TO THE FOURTH SENTENCE OF 42 U.S.C.  
§ 405(g) FOR FURTHER PROCEEDINGS (Dkt. No. 15); AND  
(4) DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT IN PART TO THE  
EXTENT IT SEEKS AN AWARD OF BENEFITS

On January 15, 2014, Magistrate Judge David R. Grand issued a Report and Recommendation addressing the cross motions for summary judgment in this action. (Dkt. No. 20). In the Report and Recommendation, the Magistrate Judge recommends that this Court grant in part Plaintiff's motion for summary judgment to the extent that this case be remanded for further fact-finding pursuant to the fourth sentence of 42 U.S.C. § 405(g). (Dkt. No. 15). The Magistrate Judge also recommends the Court deny in part Plaintiff's motion to the extent she seeks an award of benefits. (Dkt. No. 15).

Having reviewed that Report and Recommendation, the parties' cross-motions for summary judgment and the record as a whole, and there being no timely objections from either

party pursuant to 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court will adopt the Magistrate Judge's Report and Recommendation.

Therefore, the Court ADOPTS the Magistrate Judge's Report and Recommendation (Dkt. No. 20), GRANTS IN PART Plaintiff's Motion for Summary Judgment to the extent that the case is remanded to the Commissioner for further proceedings (Dkt. No. 15), DENIES Defendant's Motion for Summary Judgment at this point in the proceedings (Dkt. No. 19), and REMANDS the matter to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendation and pursuant to Sentence Four of 42 U.S.C. § 405(g).

This Order closes this case in this Court at this time.

IT IS SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: March 18, 2014

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on March 18, 2014.

s/Deborah Tofil

Case Manager